

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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| Applicant: | Paul Birkmeyer et al. | Group Art Unit: 3733 Examiner: James L. Swiger III |
| Application No.: | 10/708,721 | |
| Filed: | March 19, 2004 | |
| Entitled: | SPINAL FIXATION ELEMENTS AND METHODS | |
| Docket No.: | 101896-240 (DEP5278) | |

Certificate of Mailing (37 C.F.R. 1.8(a))

I hereby certify that this correspondence is being electronically filed via EFS-Web to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date set forth below.

March 22, 2007

By: 

Date of Signature and Mail Deposit

Lisa Adams, Reg. No: 44,238
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Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

AMENDMENT AND RESPONSE

Dear Sir:

This communication is in response to the Office Action dated Jan. 19, 2007.

Amendments to the Claims begin on page 2 of this paper.

Remarks begin on page 5 of this paper.